IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR.

Writ Petition No. 3796 of 2007
[Akabar K. Dhammani & another Vs. Smt. Deokabai N. Raishidam & ors.]

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

Mr. M.P. Khajanchi, Advocate for the petitioners.
Mr. A.B. Mahajan, Advocate for Respondent Nos. 1 and 2.
Mr. D.S. Dharaskar, Advocate for Respondent No.3.

CORAM : A.H. JOSHI, J.

DATE : 28th November,2007.

1. Heard.

2. The petitioners herein, who are respondent nos. 1 and 2 in Motor Accident Claim Petition No. 49 of 2006, applied for impleadment of the motorcycle owner of the vehicle on which the deceased was a pillion rider in the array of respondents. This prayer is based on present petitioners' plea that it is a case of contributory negligence.

3. If, in the petitioners' judgment, the respondents alone are responsible, the respondents, who have been indicated to be responsible for the liability to pay compensation, cannot insist that owner of other

vehicle, which, according to them, is involved in the accident and responsible for the contribution, cannot, by thrusting upon the petitioners, be arrayed as respondent.

4. In this background, the impugned order does not suffer from any illegality.

5. In the result, Writ Petition is dismissed.

Judge

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